

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

NESTLÉ PURINA PETCARE COMPANY,

Plaintiff/ Counterclaim Defendant,

v.

BLUE BUFFALO COMPANY LTD.,

Defendant/ Counterclaim Plaintiff.

Case No. 4:14-cv-859-RWS

**DECLARATION OF VIVIAN STORM IN OPPOSITION TO  
NESTLÉ PURINA'S MOTION FOR RECONSIDERATION**

I, Vivian Storm, declare and state as follows:

1. I am associated with Patterson Belknap Webb & Tyler LLP, counsel for Blue Buffalo Company Ltd. in this action. I am familiar with the prior proceedings in this case and with the facts and circumstances set forth below.

2. I submit this declaration in opposition to Nestlé Purina's motion for reconsideration.

3. The following document is attached as an exhibit to this declaration:

**Exhibit 1:** Nestlé Purina's Second Requests for Production

**Exhibit 2:** Nestlé Purina's Third Requests for Production

**Exhibit 3:** March 11, 2014 NAD Case Report

**Exhibit 4:** December 4, 2014 Letter from Adeel Mangi to Richard Assmus

**Exhibit 5:** December 10, 2014 Letter from Sam Yospe to Richard Assmus

**Exhibit 6:** December 9, 2014 Letter from Adeel Mangi to Richard Assmus

**Exhibit 7:** December 4, 2014 Letter from Kristine Young

4. As of December 10, 2014, Blue Buffalo has produced 116,318 pages of documents, including documents from eleven of the twelve custodians Blue Buffalo identified in its initial disclosures or interrogatory responses. *See* Exhibit 5.

5. Blue Buffalo has produced emails and internal documents from Blue Buffalo's Chairman (Bill Bishop), and from the employee Nestlé Purina accused of misconduct (Leonard Brennan). Blue Buffalo has also produced the nutrient profile of its LifeSource Bits.

6. Blue Buffalo has offered Nestlé Purina a date for the deposition of Bill Bishop. *See* Exhibit 6.

7. Nestlé Purina has produced 128,097 pages of documents. *See* Exhibit 7

Executed on December 10, 2014

/s/ Vivian R.M. Storm  
Vivian R.M. Storm